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UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Gregory Swab et al. Examiner: Angela Y. Ortiz
Application No.: 10/608,321 Confirmation No.: 8723
Filed: June 27, 2003 Group Art Unit: 1732
For: **EYEWEAR WITH EXCHANGEABLE TEMPLES HOUSING
BLUETOOTH ENABLED APPARATUS**

Mail Stop DD
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Transmitted herewith is an Information Disclosure Statement pursuant to 37

C.F.R. §§ 1.97 and 1.98 in order to comply with the duty of disclosure under 37 C.F.R. § 1.56.

The Statement is being submitted:

- ☐ within three months of the application filing date;
- ☐ more than three months from the application filing date but before the mailing date of the first Office Action on the merits.
- ☒ Each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application.

Copies of the foreign referenced documents, which are listed on the accompanying Form PTO/SB/08A, are enclosed herewith. Copies of the U.S. referenced documents, which are listed on the accompanying Form PTO/SB/08A, are not enclosed. A duplicate copy of Form PTO/SB/08A is enclosed herewith.

In accordance with 37 C.F.R. § 1.98, submission of this statement requires no fee.

However, if for any reason a fee is due, the Commissioner is hereby authorized to charge payment of any fees required in connection with this Information Disclosure Statement to Deposit Account No. 50-0675, Order No. 881987/0017. A duplicate copy of this transmittal is enclosed herewith.

It is respectfully requested that these references be fully considered by the Patent and Trademark Office during the examination of this application and printed on any patent which may issue on this application. Applicant requests that a copy of Form PTO/SB/08A, as considered and initialed by the Examiner, be returned with the next communication.

An early and favorable action is respectfully requested.

Respectfully submitted,

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Dated: September 21, 2004
New York, New York

CERTIFICATE OF MAILING

Date of Deposit: September 21, 2004

I hereby certify under 37 C.F.R. 1.8 that this correspondence and enumerated documents are being deposited with the United States Postal Service as First Class Mail with sufficient postage on the date indicated above and is addressed to the Mail Stop DD, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name:

Sarah Schlie

Signature:

Sarah Schlie
Schulte Roth & Zabel, LLP

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First Named Inventor	Gregory Swab et al.
Art Unit	1732
Examiner Name	Angela Y. Ortiz
Attorney Docket Number	881987/0017

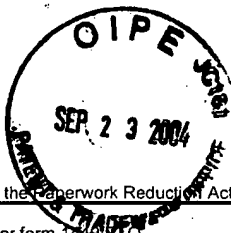
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Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.¹ Applicant's unique citation designation number (optional).² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08B (08-03)

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

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Art Unit	1732
Examiner Name	Angela Y. Ortiz
Attorney Docket Number	881987/0017

Sheet 2 of 2

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		German Search Report dated August 19, 2004	

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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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